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PATENT**Remarks**

The Office Action mailed April 22, 2003 has been carefully reviewed and the foregoing amendment has been made in consequence thereof.

Claims 1-15 are now pending in this application. Claims 1-15 stand rejected.

The rejection of Claims 1-15 under 35 U.S.C. § 112 is respectfully traversed. Claims 1, 2, 4, 6, 8, and 11 have been amended to remove the limitations addressed to first and second ends and first and second channels. These claims now reference "a pair of channels" as clearly depicted in the drawings. The specification also describes two channels. Claim 1 is further amended to recite an engagement portion proximate a base portion of an adjacent channel. This is also shown in the drawings and referenced in the specification. Thus the amendments add no new matter, and the pending claims are submitted to contain subject matter which is described in the specification in such a way as to enable any person skilled in the art to make and use the invention. For the reasons set forth above, Applicants respectfully request that the Section 112 rejections of Claims 1-15 be withdrawn.

Claim 13 has been amended reinstating the language "said bottom mullion comprising opposing side surfaces" which was included in Claim 13 as originally filed. Thus no new matter is added.

The rejection of Claims 1-4 and 6-14 under 35 U.S.C. § 102(b) as being anticipated by Jenkins (U.S. Patent No. 4,974,914) is respectfully traversed.

Jenkins describes a refrigerator having a front bottom rail assembly 26 including a snap-on trim member 52. The trim member includes a reverse bend 64 to form a rear wall 66 which engages a cross member 28. The rear wall has an open reverse bend 70 that receives the bottom

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flange 24 of the inner liner 22. The rear wall 66 of trim member 52 has a terminal end 74 that is received in a downwardly facing opening 50 of a lip 48 of the machinery compartment wall 20.

Applicants respectfully submit that the pending claims are patentably distinguishable over Jenkins. Claim 1 recites a refrigeration appliance cabinet including "a bottom mullion, said bottom mullion comprising a pair of adjacent channels and an engagement portion proximate a base portion of an adjacent one of said pair of adjacent channels; and a casing, one of said bottom mullion engagement portion and said casing comprising a retaining tongue and the other of said bottom mullion engagement portion and said casing comprising an engagement surface for being received in said tongue."

Jenkins does not describe or suggest a bottom mullion that includes a pair of adjacent channels and an engagement portion proximate a base portion of an adjacent one of said pair of adjacent channels, and a casing wherein one of the bottom mullion engagement portion and the casing includes a retaining tongue and the other of the bottom mullion engagement portion and the casing includes an engagement surface for being received in the tongue. Specifically, Jenkins does not describe or suggest an engagement portion proximate a base portion of an adjacent one of said pair of adjacent channels. Rather, Jenkins describes a trim member wherein a curved end of a machinery compartment wall merely hangs over a terminal end of a channel in the trim member. Jenkins has no engagement portion adjacent a base portion of a channel. For the reasons set forth above, Claim 1 is submitted to be patentable over Jenkins.

Claims 2-4 depend, directly or indirectly, from independent Claim 1. When the recitations of Claims 2-4 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 2-4 likewise are patentable over Jenkins.

The office action gives no specific reasoning for the rejections of independent Claims 6 and 11. As amended, Claim 6 recites a refrigerator cabinet including "a bottom mullion, said

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bottom mullion comprising a pair of adjacent channels and an engagement portion; and a casing in press fit engagement with said bottom mullion engagement portion.”

Jenkins does not describe or suggest a refrigerator cabinet including a bottom mullion, including a pair of adjacent channels and an engagement portion, and a casing in press fit engagement with the bottom mullion engagement portion. Specifically, Jenkins does not describe or suggest a casing in press fit engagement with the bottom mullion engagement portion. Rather, Jenkins describes a trim member wherein a curved end of a machinery compartment wall merely hangs over a terminal end of a channel in the trim member. For the reasons set forth above, Claim 6 is submitted to be patentable over Jenkins.

Claims 7-10 depend, directly or indirectly, from independent Claim 6. When the recitations of Claims 7-10 are considered in combination with the recitations of Claim 6, Applicants submit that dependent Claims 7-10 likewise are patentable over Jenkins.

Claim 11 recites a refrigerator cabinet including “a casing; an inner liner within said casing, said inner liner comprising at least one refrigeration compartment; and a bottom mullion, said bottom mullion comprising a pair of adjacent channels, said bottom mullion configured to receive a portion of said inner liner, said casing configured to receive a portion of said bottom mullion with press fit engagement”.

Jenkins does not describe or suggest a refrigerator cabinet including a casing, an inner liner within said casing, the inner liner comprising at least one refrigeration compartment, and a bottom mullion, the bottom mullion comprising a pair of adjacent channels, the bottom mullion configured to receive a portion of the inner liner, the casing configured to receive a portion of the bottom mullion with press fit engagement. Specifically, Jenkins does not describe or suggest a casing configured to receive a portion of the bottom mullion with press fit engagement. Rather, Jenkins describes a trim member wherein a curved end of a machinery compartment wall merely

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hangs over a terminal end of a channel in the trim member. For the reasons set forth above, Claim 11 is submitted to be patentable over Jenkins.

Claims 12-15 depend, directly or indirectly, from independent Claim 11. When the recitations of Claims 12-15 are considered in combination with the recitations of Claim 11, Applicants submit that dependent Claims 12-15 likewise are patentable over Jenkins.

For the reasons set forth above, Applicants respectfully request that the Section 102 rejection of Claims 1-15 be withdrawn.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited. This amendment is followed by an appendix including a section entitled "Submission of Marked Up Claims" including marked up versions of the claims amended by this response, and a section entitled "Claims Pending In The Application" including the claims pending in the application in clean form.

Respectfully Submitted,



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PATENT**SUBMISSION OF MARKED UP CLAIMS**

In furtherance of the response to the Office Action dated April 22, 2003, Applicant hereby submits marked up versions of the claims amended by this response in accordance with 37 C.F.R. §1.121(c)(1)(ii).

IN THE CLAIMS

1. (twice amended) A refrigeration appliance cabinet comprising:
a bottom mullion, said bottom mullion comprising a [first end and a second end, said first end comprising a first channel and a second channel]pair of adjacent channels and an engagement portion proximate a base portion of an adjacent one of said pair of adjacent channels; and
a casing, one of said bottom mullion engagement portion and said casing comprising a retaining tongue and the other of said bottom mullion engagement portion and said casing comprising an engagement surface for being received in said tongue.
2. (twice amended) A refrigeration appliance cabinet in accordance with Claim 1 further comprising a bottom rail, said bottom rail received in one of said [first and second] channels of said bottom mullion.
4. (twice amended) A refrigeration appliance cabinet in accordance with Claim 3, wherein said liner is received in [the other of said first and second] one of said channels of said bottom mullion.
5. (twice amended) A refrigeration appliance cabinet in accordance with Claim 1, said casing comprising a bottom panel, said bottom panel comprising a retaining tongue, said bottom mullion [second end] comprising an extended flat portion for press fit engagement with said tongue.

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6. (twice amended) A refrigerator cabinet comprising:

a bottom mullion, said bottom mullion comprising a [first end and a second end, said first end comprising a first channel and a second channel] pair of adjacent channels and an engagement portion; and

a casing in press fit engagement with said bottom mullion engagement portion.

8. (twice amended) A refrigerator cabinet in accordance with Claim 7 wherein said bottom mullion [second end] engagement portion comprises an engagement surface, said fastening projection engaging said engagement surface.

11. (twice amended) A refrigerator cabinet comprising:

a casing;

an inner liner within said casing, said inner liner comprising at least one refrigeration compartment; and

a bottom mullion, said bottom mullion comprising [opposing side surfaces at a first end thereof] a pair of adjacent channels, said bottom mullion configured to receive a portion of said inner liner, said casing configured to receive a portion of said bottom mullion with press fit engagement.

13. (twice amended) A refrigerator in accordance with Claim 12, said bottom mullion comprising opposing side surfaces, one of said side surfaces comprising a channel for receiving said lower rail, the other of said side surfaces comprising a channel for receiving said inner liner.

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CLAIMS PENDING IN THE APPLICATION

1. (twice amended) A refrigeration appliance cabinet comprising:
a bottom mullion, said bottom mullion comprising a pair of adjacent channels and an engagement portion proximate a base portion of an adjacent one of said pair of adjacent channels; and
a casing, one of said bottom mullion engagement portion and said casing comprising a retaining tongue and the other of said bottom mullion engagement portion and said casing comprising an engagement surface for being received in said tongue.
2. (twice amended) A refrigeration appliance cabinet in accordance with Claim 1 further comprising a bottom rail, said bottom rail received in one of said [first and second] channels of said bottom mullion.
3. A refrigeration appliance cabinet in accordance with Claim 1 further comprising at least one inner liner and foam insulation between said inner liner and said casing.
4. (twice amended) A refrigeration appliance cabinet in accordance with Claim 3, wherein said liner is received in one of said channels of said bottom mullion.
5. (twice amended) A refrigeration appliance cabinet in accordance with Claim 1, said casing comprising a bottom panel, said bottom panel comprising a retaining tongue, said bottom mullion comprising an extended flat portion for press fit engagement with said tongue.
6. (twice amended) A refrigerator cabinet comprising:
a bottom mullion, said bottom mullion comprising a pair of adjacent channels and an engagement portion; and
a casing in press fit engagement with said bottom mullion engagement portion.

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7. (once amended) A refrigerator cabinet in accordance with Claim 6 wherein said casing comprises an outer surface and a fastening projection extending from said outer surface.

8. (twice amended) A refrigerator cabinet in accordance with Claim 7 wherein said bottom mullion engagement portion comprises an engagement surface, said fastening projection engaging said engagement surface.

9. A refrigerator cabinet in accordance with Claim 8 wherein said fastening projection comprises a tongue that is separated from said engagement surface.

10. A refrigerator cabinet in accordance with Claim 8 wherein said engagement surface is substantially flat.

11. (twice amended) A refrigerator cabinet comprising:

a casing;

an inner liner within said casing, said inner liner comprising at least one refrigeration compartment; and

a bottom mullion, said bottom mullion comprising a pair of adjacent channels, said bottom mullion configured to receive a portion of said inner liner, said casing configured to receive a portion of said bottom mullion with press fit engagement.

12. A refrigerator cabinet in accordance with Claim 11 further comprising a lower rail, said bottom mullion configured to receive said lower rail.

13. (twice amended) A refrigerator in accordance with Claim 12, said bottom mullion comprising opposing side surfaces, one of said side surfaces comprising a channel for receiving said lower rail, the other of said side surfaces comprising a channel for receiving said inner liner.

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14. A refrigerator cabinet in accordance with Claim 11, said cabinet comprising a bottom panel, said bottom panel comprising a tongue for secure coupling to said bottom mullion.

15. A refrigerator cabinet in accordance with Claim 14, said bottom panel comprising a clip, said tongue extending from said clip.

16. (withdrawn)

17. (withdrawn)

18. (withdrawn)

19. (withdrawn)

20. (withdrawn)

21. (withdrawn)

22. (withdrawn)

23. (withdrawn)